

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, May 12, 2003 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. Fiore called the meeting to order at 7:04pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0389 in the amount of \$1,311,298.16 and #0392 in the amount of \$2,333,853.50.
2. Approve Minutes of April 28, 2003. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Hammond said the entire length Maple Avenue is currently designated as a passing zone and asked if this could be changed to no passing due to the amount of pedestrian traffic. Mr. Morgado will check. Mr. Card said that as this is the first meeting following the town election he would like to take the opportunity to congratulate Mr. Hammond on his re-election. Other Board members added their congratulations as well. Mr. Fiore announced that Parks & Recreation is still accepting registrations for summer programs. Applications can be made during regular business hours at the Town Hall office. Also, the 2nd Annual Kid's Equipment Day will be held on Saturday, May 17th from 9:00am-1:00pm at the Municipal Garage on South Street, this is the kick off for National Public Works Week. Those with questions can call the Parks office.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

5. 7:00pm – Light Commission – CATV Rate Increase. Clifford Jefferson, Light Commission Chair, and Thomas Josie, SELPSCC General Manager, were present. Mr. Josie reviewed the Light Commission's request for a cable rate adjustment, the last rate adjustment was on June 1, 2001. Basic Cable service would increase by \$1.00 from \$12.70 to \$13.70 and Expanded Basic, the most popular service, would increase by \$3.00 from \$27.55 to \$30.55. A few other minor rate adjustments, including Expanded Basic-Commercial, would also be made. Mr. Josie also reviewed programming changes. This rate change would increase annual revenues by an estimate of \$335,000. Even with these increases, cost for cable service in Shrewsbury would still less than those in surrounding communities. After a discussion, including several questions regarding costs and revenues, Mr. Fiore proposed postponing a vote on the Light Commission's request until next meeting on June 2nd to allow the Board more time to review the material. Mr. Josie and Mr. Jefferson agreed.

Public Hearings:

6. 7:30PM – Spag's 19, Inc, Gerald Elovitz, owner, 335 Maple Avenue. License for warehouse storage of Class A & B Flammable Liquids, 1,000-1,999 gals. Bill Gemme, vice president of Spag's, was present and explained the reasons that they were petitioning the Board for this license. He added that the license is to cover the storage of flammable liquids of the type used for Coleman lanterns. Mr. Fiore advised that favorable reports had been received from all department heads. After a brief discussion Mr. Fiore opened the hearing for public inquiry. As there was none, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Spag's 19, 335 Maple Avenue, for a Class A & B Flammable Liquids License. Motion was seconded and unanimously voted.
7. 7:45pm – Sentry West Lincoln Mercury, Inc., Patricia A. Wyatt, Secretary-Treasurer, 940 Boston-Worcester Turnpike, Class I and Commercial Garage License. Sales hours Mon.-Fri. 7:00am-8:00pm, Sat. 7:00am-5:00pm, Sun. 12:00 noon -5:00pm. Service hours Mon.-Fri. 7:00am-5:00pm, Sat. 7:00am-5:00pm. Atty. Kevin Byrne, representing Sentry West, and Patricia Wyatt, Anthony Carpone, vice president & Treasurer and Chris Lemly, president, of Sentry West were present. Mr. Byrne explained that Sentry West is the new owner/operator of the Lincoln-Mercury facility at 940 Boston Turnpike and that is the reason for this

application. Mr. Fiore advised that favorable reports had been received from all department heads. After several questions from the Board, Mr. Fiore opened to the hearing to the public. As there was no public commentary, motion was made, seconded and unanimously voted to close the hearing. The Board advised Mr. Byrne that the applicants must seek ZBA approval on their request for Sunday hours. Mr. Byrne will seek the ZBA's approval. Motion was made to approve Class I and Commercial Garage Licenses for Sentry West Lincoln-Mercury, 940 Boston Turnpike for the hours as stated in their application. Motion was seconded and unanimously voted.

8. 8:00pm – Proposed Residential Water Rates. Mr. Morgado presented the proposed change for water rates and the various scenarios available. He advised the Board that by revising the rates the Town hoped to encourage conservation and reduce costs for those using the smaller amounts of water. Mr. Morgado recommended scenario 6 which would lower the cost for the first 4,999 gals. from \$24 to \$12. Amounts would increase by steps culminating in amounts above 49,999 gals. billed at \$5.50 per 1,000 gals. compared with the present \$2.40. Mr. Morgado added the DEP would like to see conservation in Shrewsbury as the town has exceeded limits set in the Water Management Act. Mr. Fiore opened the hearing to the public. Michael Stiling presented a different scenario based on number of persons in household to the Board. Several other resident asked questions. After much discussion the Board decided to postpone any decision regarding water rates until the June 2nd meeting to allow further study of Mr. Stiling's proposal and more in depth study of those presented by Mr. Morgado.

Old Business:

9. Speed Limit – South Quinsigamond Avenue. Chief Sampson's recent response regarding this issue was reviewed. Mr. Morgado outlined the options available to regulate the speed limit for this street. 1) Post the area as thickly settled and leave the speed limits as they are at present. 2) Post at 30 mph, which would not be enforceable, 3) Send the proposal to the state for speed limit determination. 4) Post advisory placards, Thickly Settled Area with 30 mph below. After a discussion regarding the various posted speeds on this street at present the Board concluded that more clarification was necessary and that speeds for the entire roadway should be addressed. The Board tabled the matter until the June 2, 2003 meeting, at which time they would decide whether another public hearing would be needed to determine the speed limit for the entire length of South Quinsigamond Avenue and to include the adjoining Lake Street portion of the road in the speed zone as well.
10. Discussion of Policy 9 to "Limit the number of Class II Used Car Licenses to Total of Twenty (20)". Discussion deferred until June 16, 2003 meeting.

New Business:

11. Conservation Commission Re-Appointments. Motion was made to approve Mr. Morgado's reappointment of Dorbert Thomas and Kenneth Polito to the Conservation Commission. Motion seconded and unanimously voted.
12. Review Annual Town Meeting Warrant. Articles 1, 2, 3 – vote to recommend to Town Meeting. Article 4 – has changed and may change again. Vote to recommend noting that Article may change. Articles 5 & 6 – vote to recommend. Article 7 – vote to recommend as presented. Article 8 & 9 – vote to recommend. Article 10 – vote to recommend as presented excluding Bridle Path pending Engineering Dept. recommendation. Articles 11 & 12 – vote to recommend. Articles 13 & 14 – vote not to recommend. Article 15 – vote to recommend with four in favor and one abstention. Article 16 – vote not to recommend. Articles 17, 18, 19, 20, 21 & 22 – vote to recommend. Article 23 – Finance Committee has not yet made a recommendation, hold for meeting prior to Annual Town Meeting. Articles 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 & 34 – vote to recommend. Article 35 – hold vote until meeting prior to Town Meeting. Article 36 – Finance Committee is opposed as presented, vote to recommend with four in favor and one abstention pending Finance Committee recommendation. Pre-Town Meeting is scheduled for Thursday evening in this room at 7:00pm.
13. Reorganize Board. Mr. Fiore announced that it is the Board's custom to reorganize following Town Elections. Mr. Lebeaux said that the current Board leadership has done a fine job and moved that Thomas Fiore be reappointed as Chairman, Maurice DePalo as Vice Chairman and Bruce Card as Clerk. Motion was seconded and unanimously approved.

14. Request from Shrewsbury Garden Club to use Town Common on Sunday, May 18, 2003 as a rain date for their Annual Plant Sale. Motion was made, seconded and unanimously voted to approve request.
15. Struck Catering, 130 Hamilton Street, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Tuesday, May 20, 2003 from 5:00pm-10:00pm. Motion was made, seconded and voted four in favor with one abstention to approve.
16. Struck Catering, 130 Hamilton Street, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Thursday, May 22, 2003 from 5:00pm-8:00pm. Motion was made, seconded and voted four in favor with one abstention to approve.
17. Struck Catering, 130 Hamilton Street, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Saturday, May 31, 2003 from 6:00pm-10:00pm. Motion was made, seconded and voted four in favor with one abstention to approve.
- 17a. Town Manager's salary. Motion was made at 9:38 pm, seconded, and unanimously voted to go into executive session for the purpose of discussing the Town Manager's salary and to reconvene into open session. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. DePalo, yes, Mr. Hammond, yes, and Mr. Fiore, yes.

Motion was made, seconded, and unanimously voted to adjourn executive session and to reconvene into open session at 9:48 pm.

Mr. Fiore announced that the Board had discussed salary with the Manager and had agreed upon a 3% increase for FY04. The Board also feels that the manager's compensation should be higher but Mr. Morgado advised them that he did not wish a higher increase under the present economic conditions. The Board agreed to abide by Mr. Morgado's wishes but will look into this matter again. Motion was made seconded and unanimously voted to recommend to Town Meeting a 3% increase in the Town Manger's salary for FY04.

Executive Session:

Communications:

18. Noted copy mailed: MMA Action Alert #8, 4/25/
19. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, Chester & Shirley Piskadlo, 17 Ridge Road.
20. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, Ana Diaz, 46 Holden Street.
21. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, RIFL Realty Trust, 167 Memorial Drive.
22. Noted copy mailed: ZBA Hearing Minutes, Colleen & Dean Tipple, 18 Ireta Road.
23. Noted copy mailed: E- mail from Sally Kennedy re Summer Playground & Parks & Recreation Director Snell's response.
24. Noted copy mailed: Letter from Dr. Bent to Chairman, Al-Hamra Academy.
25. Noted copy mailed: Memo from Mr. Morgado re Zekos Lease – Former Allen Property. Mr. Morgado will talk to EDIC before proceeding.
26. Noted copy mailed: SELPSCC Commission Meeting Minutes, 3/31/03.
27. Noted copy mailed: Letter from Assabet River consortium re Comprehensive Wastewater Management Plan/ Environmental Impact Report.
28. Noted copy mailed: E-mail from Thomas Rooney re Boston Globe article 4/30/03.
29. Noted copy mailed: Notice of conference "The Revenue Shortfalls" from Jim Thivierge.
30. Noted copy mailed: Memo from Mr. Morgado re G.L. c. 164, s. 47A(f) – Electric Deregulation. Put under Future Items.
31. Noted copy mailed: Request for installation of street lights in Stonybrook II Subdivision from P. Christopher Cutler, Cutler Brown Development Co., LLP. Forward to Light Dept. for action.
32. Noted copy mailed: Mr. Morgado's response to request by SHS French Club to conduct car wash.
33. Noted copy mailed: Memo from Mr. Morgado re Housing Authority Issues. Mr. Morgado will check with State Atty. General.
34. Noted copy mailed: Planning Board Meeting Minutes, 4/10/03.
35. Noted copy mailed: Memo from Mr. Morgado re Chapter 40B & Affordable Housing Summit. Board to respond to Mr. Morgado regarding date.

36. Noted copy mailed: Memo from Mr. Morgado re WRTA Change of Service. Mr. Morgado advised that service is being revised due to financial considerations.
37. Noted copy mailed: E-mail from Nick Coda, 4 Deergrass Road, re Water restrictions.
38. Noted copy mailed: E-mail from Marcello Ranalli, 21 Thestland Drive, re Town Water & Mr. Morgado's response.
39. Noted copy mailed: Letter from Earth Tech to U.S.E.P.A. re Assabet River Consortium - Response to EPA's Economic Analysis.
40. Noted copy mailed: Memo from ABCC re Public Forums on Fire & Building Safety.
41. Noted copy mailed: Memo from CMRPC re Amendment to Year 2003 of MPO Endorsed 2003-2007 Transportation Improvement Program (TIP) Project Listings, Highway & Transit.
42. Noted copy mailed: Memo from Mr. Morgado re Annual Audit & Management Letter.
43. Noted copy mailed: Request from Susan Darcey, 502-512 Boston Turnpike, for "Do Not Block Driveway" sign at corner of Lake Street & Rte. 9. Forward to Chief Sampson for recommendation.
44. Noted copy mailed: Mr. Morgado's letter to Sen. Glodis re HB #54 to eliminate exemption from Chapter 30B of collection, transportation, receipt, processing or disposal of solid waste.
45. Noted copy mailed: School Committee Meeting Agenda, 5/14/03.
46. Noted copy mailed: Notification from MassHousing re Enaya Terrace, Shrewsbury, MA-MassHousing #SA-03-005 Project Eligibility Application.
47. Noted copy mailed: Membership renewal request from Worcester Chamber of Commerce. Mr. DePalo abstained from discussion. Motion was made, seconded and voted in favor and Mr. DePalo abstaining not to renew membership in the Worcester Chamber of Commerce.
48. Noted copy mailed: Memo from John Knipe re Street Sweeping Update as of 5/8/03.
49. Noted copy mailed: Letter from Accu-Tek, 409 Hartford Turnpike, requesting change in address for their Class I License. Lt. Hurley will be asked to check.

Motion was made, seconded, and unanimously voted to adjourn at 11:06pm.

Respectfully submitted,

Janice C. McCoy
Secretary